



**AMENDMENT TO THE  
CALIFORNIA REGIONAL WATER QUALITY CONTROL PLAN FOR THE  
COLORADO RIVER BASIN REGION (BASIN PLAN)  
TO REVISE THE SEPTIC TANK DISCHARGE PROHIBITION  
IN THE TOWN OF YUCCA VALLEY**

California Regional Water Quality Control Board  
California Environmental Protection Agency

Prepared by

Colorado River Basin Water Board Staff

California Regional Water Quality Control Board  
Colorado River Basin Region  
March 2016

## Table of Contents

1. EXECUTIVE SUMMARY .....	1
2. INTRODUCTION .....	2
3. PROBLEM STATEMENT .....	4
4. RECOMMENDED CHANGES TO THE PROHIBITION .....	5
5. BACKGROUND FOR INTERNAL PHASE BOUNDARY CHANGE AND DEFERRED PARCELS .....	7
5.1. DEFERRED PARCELS.....	8
5.1.1 DEFERRED PARCEL CONNECTION CRITERIA.....	11
5.2 PHASE I BOUNDARY CHANGES.....	12
6. JUSTIFICATION.....	17
7. ENVIRONMENTAL IMPACTS .....	17
8. REPORTING.....	17
9. PROHIBITION EXEMPTIONS.....	18
10. COMPLIANCE ASSURANCE AND ENFORCEMENT .....	18
Appendix A – APN of Deferred Parcels .....	20
Appendix B – APN of Parcels moved from Phase 1 to Phases 2 and 3 .....	21
Appendix C – APN of Parcels moved from Phases 2 and 3 into Phase 1 .....	22

## **1. EXECUTIVE SUMMARY**

The State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (regional water boards) are the “principal state agencies with primary responsibility for the coordination and control of water quality” (California Water Code [CWC] Section 13001 of the Porter-Cologne Water Quality Control Act, CWC § 13000 et seq.). The State Water Board develops statewide policy, and each of the nine regional water boards adopts a region- specific water quality control plan (Basin Plan) in accordance with the CWC and the federal Clean Water Act (42 U.S.C. § 1251 et seq.). Basin Plans provide guidelines and describe the full range of regional water board activities that serve to optimize the beneficial uses of state waters by preserving and protecting water quality.

Each regional water board is required to develop a Basin Plan for the waters within its jurisdiction (CWC § 13240). The Basin Plan implements relevant provisions of the federal Clean Water Act and the CWC, and includes water quality objectives and beneficial uses for ground and surface waters within its region. The Basin Plan also identifies implementation plans to achieve water quality objectives (CWC § 13242). Implementation plans may specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted (CWC § 13243).

The Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Colorado River Basin Water Board) is responsible for protecting water quality within the Colorado River Basin Region (Region 7). The current Basin Plan for the Colorado River Basin includes a prohibition (“Prohibition”) for discharges of wastes from septic system in the Town of Yucca Valley (Town) and in areas that overlie the Warren Valley Groundwater Subbasin (Warren Subbasin), which is part of the Morongo Groundwater Basin. The Prohibition was approved by the Colorado River Basin Water Board on May 19, 2011 (Resolution No. R7-2011-0004), by the State Water Board November 1, 2011, and by the Office of Administrative Law (OAL) on November 13, 2012, at which time it took effect. To comply with the septic tank discharge Prohibition, the High Desert Water District (HDWD) intends to construct a centralized sewage collection system and wastewater treatment and reclamation facility (WRF) in three phases. The Prohibition states that it becomes effective the earlier of May 19, 2016, on May 19, 2019, and May 19, 2022 for all parcel in Phases 1 through 3, respectively; or when a municipal sewage collection system becomes available. The Prohibition states further that a sewage collection system is defined as available “once the system is operational, and is located within 500 lineal feet of an existing or proposed new disposal system discharge.”

Financial, legal, economic, and technical issues have caused significant delays in the construction of the centralized system and WRF. Consequently, the system and WRF cannot be constructed and completed to service Phase 1 in accordance with the Prohibition’s deadline for Phase 1. Also, HDWD proposes to construct the system for Phases 2 and 3 simultaneously. Based on the foregoing, HDWD in

substantive part has requested that the Colorado River Basin Water Board adopt a Basin Plan amendment:

1. To extend the Prohibition's compliance dates for Phase 1, 2, and 3;
2. To extend the Prohibition's compliance date for Phase 1 to December 31, 2021;
3. Have a single compliance deadline for Phases 2 and 3, and to make the deadline for both December 31, 2025;
4. To incorporate internal boundary changes for the three phases;
5. To include provisions in the revision to deal with parcels that should not be included in the initial hook up due to insufficient wastewater flow for the proposed sewage collection system and/or servicing them would not be economically practicable (referred to as "Deferred Parcels"); and
6. To eliminate the provision that requests for an exemption to the Prohibition supported by the HDWD will be given substantial consideration.

Colorado River Basin Water Board staff has evaluated HDWD's request and is recommending the Board amend the Prohibition as requested, but to extend the deadline for Phase 1 only to June 30, 2021, rather than the December 31, 2021 as requested by HDWD. Staff is also recommending that the revised Prohibition establishes construction milestones for the sewage collection system and WRF and additional reporting requirements to ensure discharges from septic systems start to be phased out at the earliest practicable time.

## **2. INTRODUCTION**

Colorado River Basin Water Board staff is recommending the Colorado River Basin Water Board amend Chapter 4 of the Region's Basin Plan, which prohibits the discharge of wastes from septic tank-subsurface wastewater disposal systems in specific areas of the Town of Yucca Valley (Town), San Bernardino County. The original prohibition (Prohibition) was established to deal with the groundwater contamination caused by the Town's septic systems. Because the Town lacks a municipal wastewater collection and treatment system, essentially all residents and businesses in Yucca Valley currently use septic systems and subsurface disposal systems to treat and dispose of domestic wastewater. The only exceptions to this are Applebee's Restaurant, the Best Western Yucca Valley Hotel, the Desert Vista Village, Drake Development subdivisions, Walmart, and Yucca Valley Senior Housing Project, all of which use advanced on-site wastewater treatment package plants.

The Prohibition bans wastewater discharges from septic systems in three phases, with the ban taking effect for Phase 1 (essentially the main business corridor in the Town) by May 19, 2016; for Phase 2 by May 19, 2019; and for Phase 3 by May 19, 2022, or for each phase when a municipal sewage collection system becomes available, whichever occurs first. The Prohibition defines when a municipal sewage

collection system becomes “available” as “once the system is operational, and is located within 500 lineal feet of an existing or proposed new disposal system discharge.” HDWD is proposing to construct a centralized sewage collection and WRF for the Town to assist property owners and responsible parties comply with the Prohibition. Several activities have occurred to assist HDWD in this effort:

- In 1992, the United States Bureau of Reclamation provided HDWD a \$20-million authorization to address impacts from septic system discharges on groundwater quality. To date, HDWD has received \$6,377,500 in funding through this allocation;
- In 2009, HDWD prepared a Sewer Master Plan (SMP) that called for the design and construction of municipal wastewater treatment and collection system to service the Town;
- In 2010, the San Bernardino County Local Agency Formation Commission granted sewerage authority to HDWD;
- In November 2011, the State Water Board provided HDWD with a \$1.5-million grant from the State Water Board’s Clean up and Abatement Account to support HDWD’s sewage planning efforts; and
- In 2012, the California Department of Water Resources provided HDWD with a \$2,000,000 grant for the proposed collection system and WRF.

In spite of that progress, financial and technical difficulties continued to cause significant delays in construction of the centralized system and WRF. These financial difficulties were overcome in March 2015 and May 2015, when the State Water Board approved a \$142,349,314 low interest loan to finance the construction of the sewage collection system and WRF, and then Town property owners approved the formation of an assessment district to pay for Phase 1 of the system, respectively. In late May 2015, USBR also provided \$4 million in additional grant funding to HDWD for the collection system and WRF. Now that the finances are in place and the design of the sewage collection system is essentially complete, construction of the centralized system and WRF can proceed. However, due to the delay in receiving this financial support, design and construction requests for proposals and bids also had to be delayed.

Additionally, the design of the sewage collection system for Phase 1 has identified parcels that are technically and/or economically problematic to service until specific conditions are met. As a result, HDWD, pursuant to its sewerage authority, has revised its boundaries of all three Phases. Therefore, as a result of these financial and technical difficulties, the sewage collection system and WRF for Phase 1 cannot be completed by the May 19, 2016 deadline mandated in the Prohibition. Rather, HDWD now estimates completing the system and WRF for Phase 1 by June 2021.

Based on the foregoing, HDWD is requesting the Colorado River Basin Water Board adopt a Basin Plan amendment that revises the Prohibition so that the revised Prohibition (1) extends the deadlines to comply with the Prohibition, (2)

changes the Prohibition's internal boundaries, and (3) include regulatory criteria to deal with the problematic parcels. It is also asking the Board amend the Prohibition so that it eliminates the provision that any requests for an exemption to the Prohibition, which are accompanied by a letter of support from the HDWD, will be given significant consideration (Ban and Prudhel, August 2015). This staff report discusses these requested revisions and the changes staff is recommending the Board make to the Prohibition.

### **3. PROBLEM STATEMENT**

The Prohibition was established in May 2011 as a means to address groundwater pollution of the Warren Subbasin due to septic discharges in Yucca Valley. This was established at a time when HDWD was in the preliminary design stages of the proposed centralized sewage collection and treatment system for the Town. Since then, HDWD has made substantial progress in designing the system, obtaining substantial financial assistance for the system, and refining the system's costs. It also obtained voter approval to pay for the system for Phase 1 in May 2015. Consequently, construction of the centralized system is now moving forward, and HDWD is asking for revisions to the Prohibition due to the following reasons:

1. The costs associated with the wastewater collection and treatment system are much higher than originally anticipated. In Phase 1 alone, the system requires over 400,000 linear feet (lf) of collection system pipeline; 3 pump stations; and a 1.03 million gallon per day (MGD) wastewater treatment plant at a cost of approximately \$150 million. To manage costs, HDWD had to revise the internal boundaries of each phase as well as identify parcels that are technically difficult and/or problematic to be serviced by the system.
2. Getting financial assistance for the system and voter approval to pay for it took longer than anticipated. The Town attempted to pass an increase in the local sales tax to fund the system. However, the proposed increase was rejected by Town voters in November 2012. Subsequently, HDWD stepped in to secure voter approval to form an assessment district to pay for the system. Obtaining voter approval for the assessment district required sustained and significant outreach and education for several years. Also, substantial financial assistance to pay for the project did not materialize until March 2015, when the State Water Board provided the HDWD with a \$142,349,314 small disadvantaged community (DAC) low interest loan from the State's Clean Water State Revolving Fund (SRF) to defray the costs of the system. Subsequently, Town voters approved the assessment in May 2015. In short, obtaining financing and voter approval caused the construction of the centralized system and WRF to fall behind schedule.
3. Due to the above-cited delays and technical problems, HDWD cannot complete construction of the centralized system and WRP in accordance with

the deadlines listed in the Prohibition.

The HDWD is specifically requesting the Colorado River Basin Water Board make the following changes:

1. Extend the Prohibition's overall compliance date for Phase 1 from May 19, 2016, to December 31, 2021;
2. Have a single compliance deadline for Phases 2 and 3 rather than the current dates of May 19, 2019, and May 19, 2021, respectively, and extend the deadline to December 31, 2025;
3. Revise the internal boundaries for Phases 1, 2, and 3 so that the boundaries in the Basin Plan are consistent with the changes to the boundaries HDWD made for each Phase;
4. Includes regulatory and technical criteria for problematic parcels (hereafter referred to as "Deferred Parcels") that specify when the parcels are required to connect to the centralized system. Deferred Parcels are mainly undeveloped, residential parcels that are geographically clustered. These parcels do not generate wastewater, or they generate insufficient wastewater to be serviced by the centralized system at the current time; and
5. Eliminates the provision that any requests for an exemption to the Prohibition, which are accompanied by a letter of support from the HDWD, will be given significant consideration. Ban and Prudhel, August 2015).

#### **4. RECOMMENDED CHANGES TO THE PROHIBITION**

Colorado River Basin Water Board staff supports the requested changes, including extending all of the deadlines for the Phases, but does not support extending the deadline for Phase 1 as requested by HDWD. HDWD recently provided the Board with the construction schedule to sewer Phase 1 (Carollo, December 2015). The schedule calls for four construction packages (A-D). Table 1, below, summarizes the construction schedule for the key components of the centralized sewage collection system and WRF:

Table 1 – Construction Schedule for Centralized System and WRF		
Package	Start Construction	Complete Construction
Package A: Collection System East	July 2016	February 2018
Package B: Pumping Stations	September 2016	April 2018
Package C: Collection System Central	October 2017	April 2019
Package D: Collection System West	December 2018	March 2020
WRF	February 2017	July 2019

As shown in Table 1, two key components of the centralized collection system (Package A and C) and the WRF should be in place and operational by July 2019. Also, review of the construction schedule provided by HDWD indicates that current discharges of wastes from septic systems can start to be phased out as early as February 2018 when the pumping stations work (Package B) has been completed, that most of the current discharges from septic systems can be phased out by July 2019, and that all of current discharges should be phased out by June 2021 if the construction proceeds as scheduled (Carollo Engineers, November 2015). Based in the foregoing, Board staff is recommending that the Prohibition be revised so that it:

1. Extends the deadlines for each phase so that HDWD can complete construction of the proposed centralized system and WRF at the earliest practicable time and without putting septic system dischargers subject to the Prohibition in potential violation of the Prohibition. Board staff's proposed revised deadlines are shown in Table 2, below:

Table 2: Proposed Revised Prohibition Deadlines		
Phase	Current Deadline	New Deadline
Phase 1	May 19, 2016	June 30, 2021*
Phase 2	May 19, 2019	December 31, 2025*
Phase 3	May 19, 2022	

\* Or when the municipal sewage collection system is available, whichever comes first.

2. Establishes the following construction milestones for each of the HDWD's construction packages:

Table 3: Construction Deadlines for Centralized System and WRF		
Package	Start Construction	Complete Construction
Package A: Collection System East	July 31, 2016	February 28, 2018
Package B: Pumping Stations	September 30, 2016	April 30, 2018
Package C: Collection System Central	October 31, 2017	April 30, 2019
Package D: Collection System West	December 31, 2018	March 31, 2020
WRF	February 28, 2017	July 31, 2019



3. Revises boundaries for Phases 1, 2, and 3 so that the boundaries in the Basin Plan are consistent with the changes HDWD made;
4. Includes regulatory and technical criteria for Deferred Parcels, which specify when the parcels are required to connect to the centralized collection system.
5. Eliminates the provision that any requests for an exemption to the Prohibition, which are accompanied by a letter of support from the HDWD, will be given significant consideration.

The proposed changes to the Prohibition deal with policy, compliance, and economic issues within the discretion of the Colorado River Basin Water Board. These issues were not scientific factors in establishing the Prohibition in 2011, and do not change the scientific basis for the Prohibition. Thus, Board staff has determined that this proposed amendment does not need additional Scientific Peer Review.<sup>1</sup> Further, based on the District's requested changes, the proposed amendment also eliminates the provision (currently under Section "B. Reporting") in the Prohibition that states that the District would be contracting with USGS to study further the impact from septic system discharges in Phase 2 and 3 and submitting the results of the study to the Regional Water Board. The following sections of this report provide background on the requested changes to adjust the internal boundaries of each Phase and the proposed regulatory approach for addressing Deferred Parcels.

## **5. BACKGROUND FOR INTERNAL PHASE BOUNDARY CHANGE AND DEFERRED PARCELS**

This section provides the background for the requested changes to each Phase's internal boundaries. Environmental impacts associated with these changes are discussed within the Environmental Impacts Section of this report and in greater detail in the California Environmental Quality Act Environmental Checklist Form and Analysis document that has been prepared in support of this proposed Basin Plan amendment. The original boundaries for Phases 1, 2, and 3 were adopted as part of the Basin Plan amendment and were based upon the Sewer Master Plan (SMP) prepared by Montgomery Watson Harza (MWH) on behalf of HDWD IN 2009. The SMP provided both HDWD and the Colorado River Basin Water Board with practical, preliminary information, but it was by no means a replacement for the engineering efforts required to complete a full design for the centralized collection system and WRF.

In March 2012, HDWD began soliciting for engineering services for the design of the Phase I collection system. In September 2012, HDWD selected Atkins North America

---

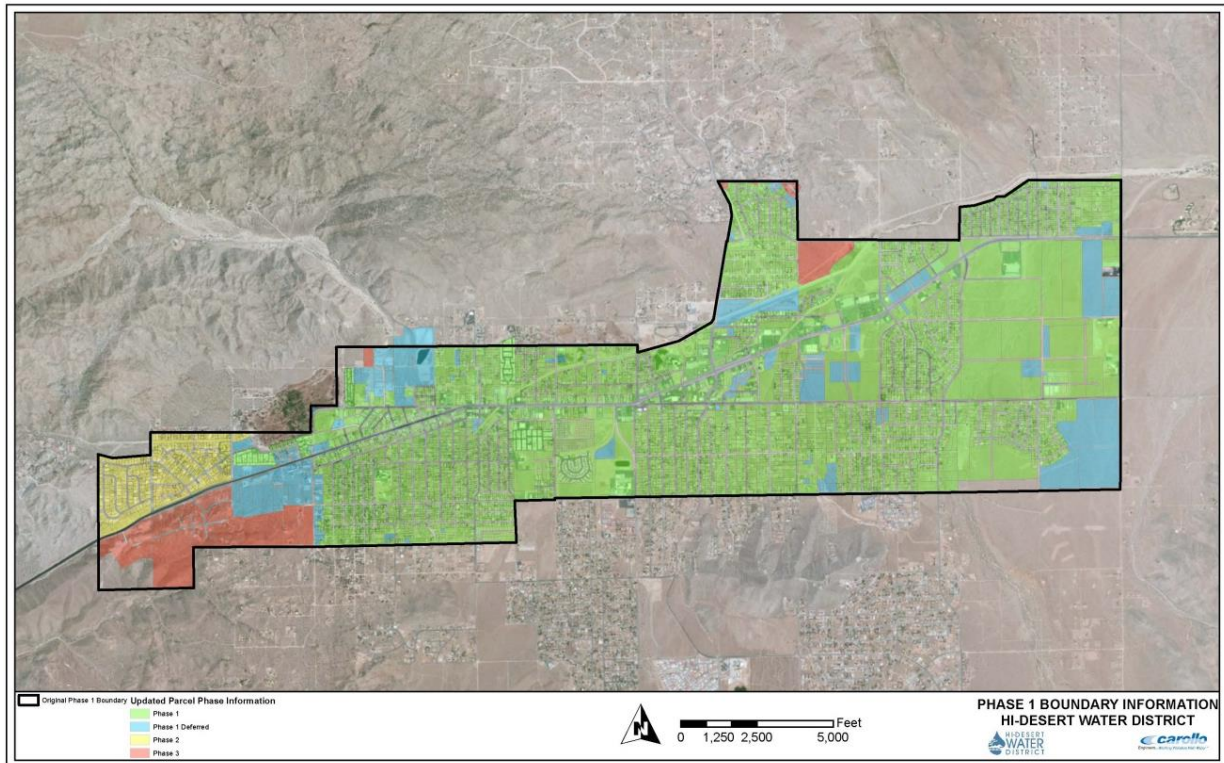
<sup>1</sup> The original peer review for the Prohibition can be found online at:  
[http://www.waterboards.ca.gov/coloradriver/water\\_issues/programs/basin\\_planning/docs/yuccavalle\\_y/appnd\\_f.pdf](http://www.waterboards.ca.gov/coloradriver/water_issues/programs/basin_planning/docs/yuccavalle_y/appnd_f.pdf)

(Atkins) to design the Phase I collection system. The proposed sewage collection system is a gravity system that requires specific sewage velocities in the pipelines and specific wastewater generation rates, among other factors, for it to function properly and manage project costs. As Atkins progressed with its design, it showed that the total length of pipe needed for Phase 1 was substantially more than the amount MWH had estimated (94 miles of pipe versus 77 miles of pipe). This difference required an additional 17 miles of pipeline design that was not anticipated and therefore not funded under the contract with Atkins. Thus, the additional needed pipeline identified by Atkins presented budgetary and technical problems. HDWD only had funds (\$4.5 million) for the design of 77 miles. Also, it was now readily evident that there were certain areas within Phase 1 that were mainly clustered empty parcels. Faced with these problems, HDWD asked Atkins to determine (a) the feasibility of serving every parcel within the Phase 1 boundary; and (b) the most viable method of serving as many properties as possible while still meeting the original contract's conditions (Carollo Engineers, August 2015).

### **5.1. DEFERRED PARCELS**

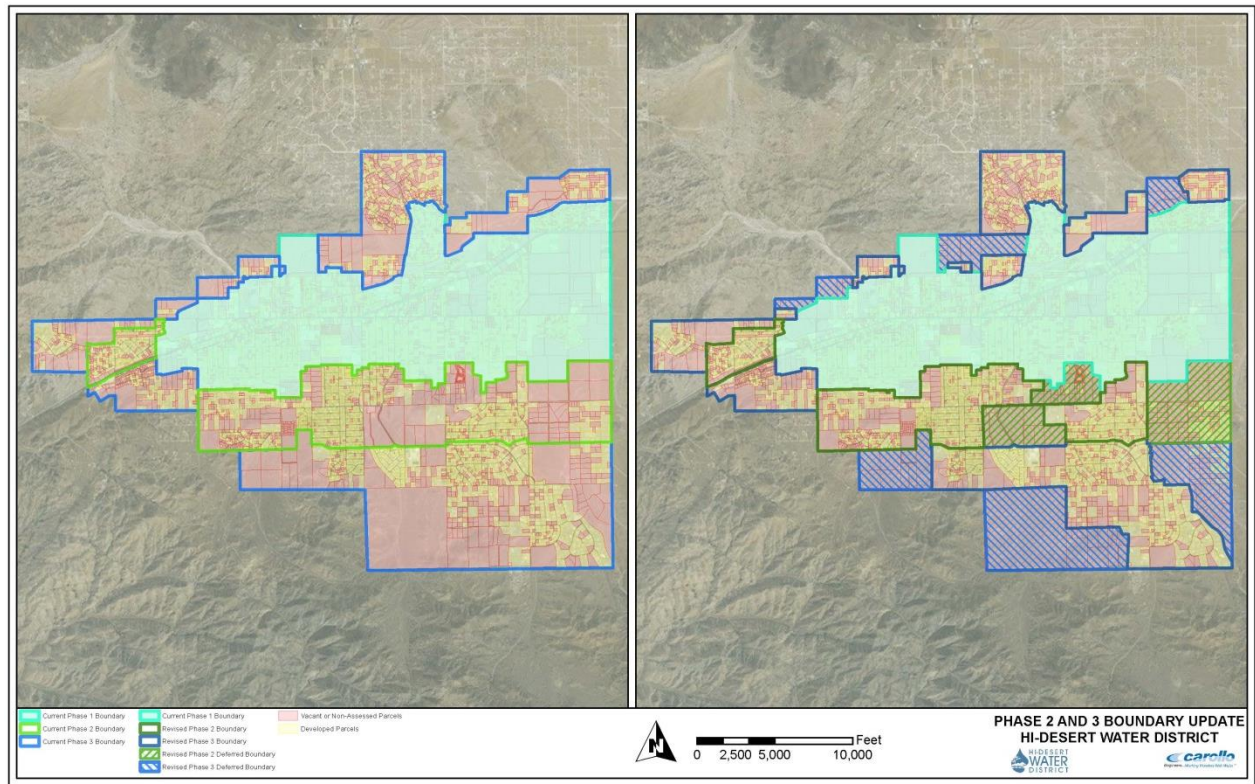
The preliminary pipeline alignments conducted by Atkins revealed that approximately 6.5 miles of pipelines within the Phase 1 boundary posed significant operational problems for the collection system, because the properties that this pipeline would serve do not generate sufficient wastewater flow to allow for the proper operation of the gravity system. In other words, the area that the pipeline would serve is mainly comprised of undeveloped parcels. In total, there are 309 Deferred Parcels within Phase 1 and only 60 of these parcels are actually developed properties. Appendix A identifies these parcels by Assessor Parcel Number (APN). Figure 1, below, shows the general location of the Deferred Parcels (Carollo Engineers, August 2015).

**Figure 1: Phase 1 Deferred Parcels**



Even though the sewage collection system for Phases 2 and 3 has not been designed, Atkins' preliminary evaluation has identified another 221 Deferred Parcels in Phase 2, and 108 Deferred Parcels, in Phase 3. Only 36 parcels of the Deferred Parcels identified in Phase 2 and only 19 parcels of the Deferred Parcels identified in Phase 3 are developed parcels. The hatched areas in Figure 2, below, show these undeveloped and sparsely developed areas in Phases 2 and 3. Appendix B identifies these parcels by Assessor Parcel Number (APN). The exact number of potentially Deferred Parcels, however, in Phases 2 and 3 may change based once the design of the sewage collection system for Phases 2 and 3 is complete. Table 4, below, summarizes the number of Deferred Properties that have been identified to date. Accordingly, Colorado River Basin Water Board staff is recommending that this proposed Basin Plan amendment contain provisions to accommodate the actual number of Deferred Parcels once they are identified.

**Figure 2: Phases 2 and 3 Deferred Parcels**



<b>Table 4 – Deferred Parcels</b>					
<b>Description</b>	<b>Number of Developed &amp; Undeferred Parcels</b>	<b>Number of Developed &amp; Deferred Parcels</b>	<b>Number of Undeveloped &amp; Deferred Parcels</b>	<b>Total Number of Deferred Parcels</b>	<b>Percent of Deferred Parcels (%)</b>
<b>Phase 1</b>	4351	61	248	309	7.10
<b>Phase 2</b>	1719	36	185	221	12.86
<b>Phase 3</b>	1448	19	89	108	7.46
<b>Totals</b>	7518	115	522	637	8.47

### **5.1.1 DEFERRED PARCEL CONNECTION CRITERIA**

HDWD requests and Colorado River Basin Water Board staff recommends that the Prohibition be amended so that the Deferred Parcels remain deferred for connection to the centralized sewage collection system until any one of the following three deferred parcel criteria is met:

1. An area of Deferred Parcels has experienced enough development to meet a threshold of 1.7 equivalent dwelling units (EDU) per 100 feet of pipe (this metric was developed to maximize the benefit by eliminating septic discharges in the most concentrated areas while maintaining cost efficiencies of pipeline installation),
2. A street or area is 80 percent developed (this metric was developed to address areas that may be too small to meet the criteria described in criterion 1), or
3. An area has experienced enough development to generate flows resulting in a minimum of 2 feet per second (fps) flushing velocity (this metric would be monitored using the anticipated wastewater generation rates developed as part of the collection system design).

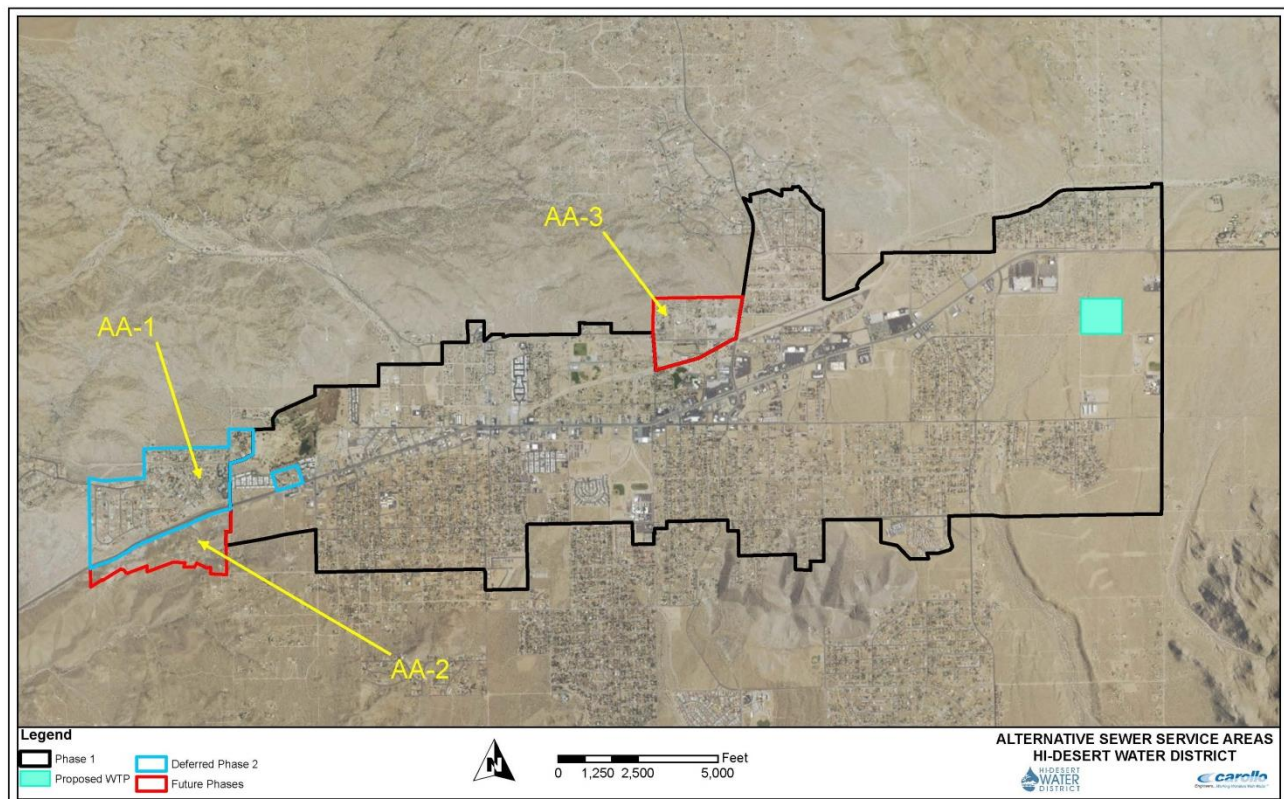
Areas will be evaluated on a street by street basis and will be connected once any one of the above three criteria is met. Colorado River Basin Water Board staff supports this requested change and agrees with the criteria. Accordingly, Board staff is recommending that the proposed amendment to the Prohibition incorporate the requested changes and establish the above-specified criteria. Also, Board staff is recommending that the proposed amendment require HDWD to provide periodic reports on the status of the development of undeveloped Deferred Parcels.



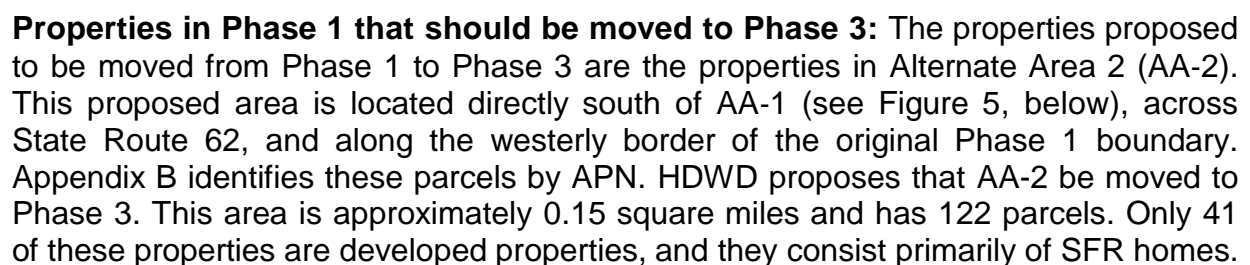
## 5.2 PHASE I BOUNDARY CHANGES

Besides identifying properties that should be deferred, HDWD has also identified three areas within the original Phase 1 boundaries that stand out as having much higher sewage collection system costs than any other area in Phase 1. These areas are referred to as “Alternative Sewer Service Areas” and referred to individually as Alternate Area 1 (AA-1), Alternate Area 2 (AA-2) and Alternate Area 3 (AA-3). Figure 3 shows the location of these areas. Therefore, to control project costs, HDWD requests boundary changes to Phase 1 that would result in moving the Alternative Sewer Service Areas into the boundaries of Phases 2 and 3. Colorado River Basin Water Board staff supports the proposed change. Moreover, the changes do not affect the overall original geographical boundaries of the Prohibition. These changes, in conjunction with the Phase 1 Deferred Parcels discussed in Section 5, allows HDWD to maximize the number of developed parcels being served while keeping design costs within budget and the project moving forward. It also assists the Board achieve its main Prohibition objective (the timely phase out discharges of wastes from septic systems to protect water quality).

**Figure 3: Alternative Sewer Areas**



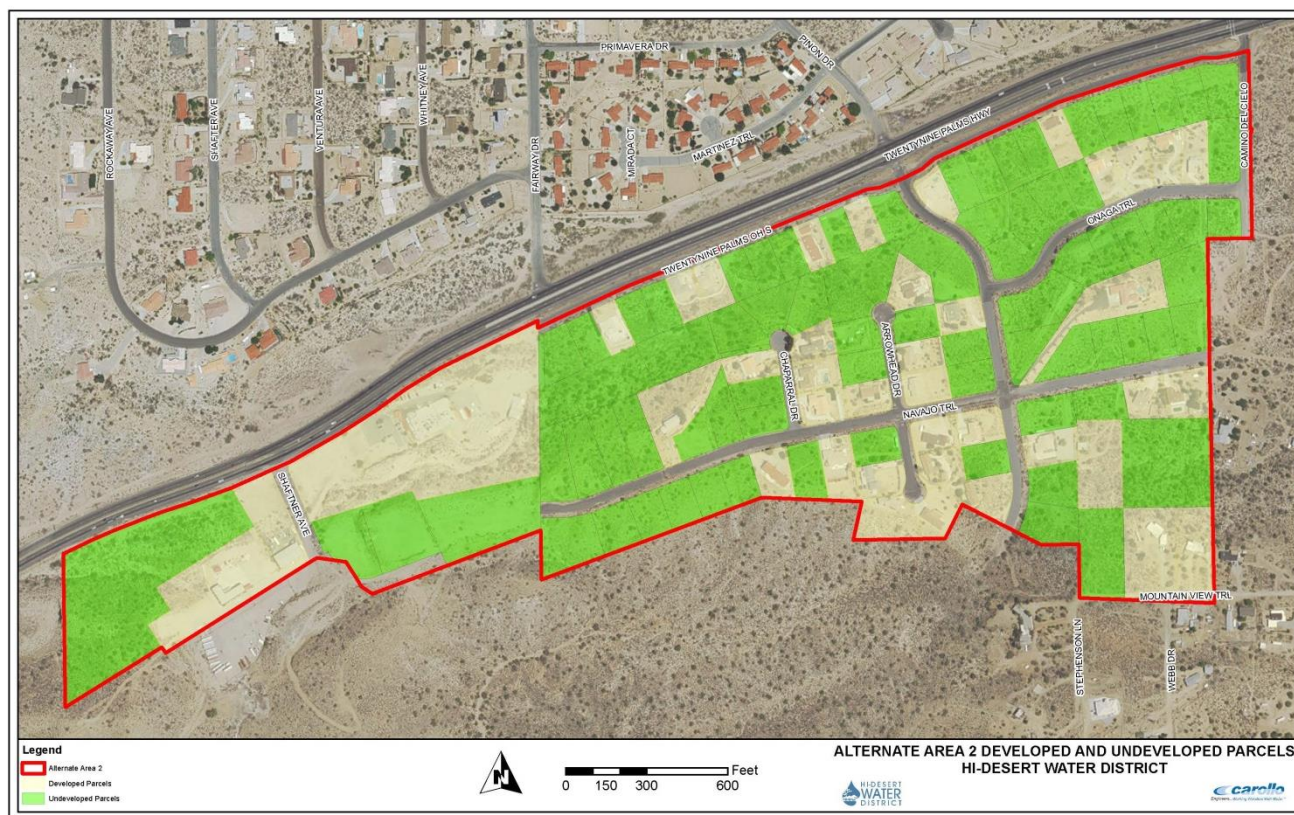
### Figure 4: Alternate Sewer Area 1





HDWD proposes to move AA-2 to Phase 3 due to its geographical location and sparse development. Colorado River Basin Water Board staff supports the requested change and is recommending this proposed amendment accommodate the change. Alternate Sewer Area 3 does not require any modifications to the Prohibition.

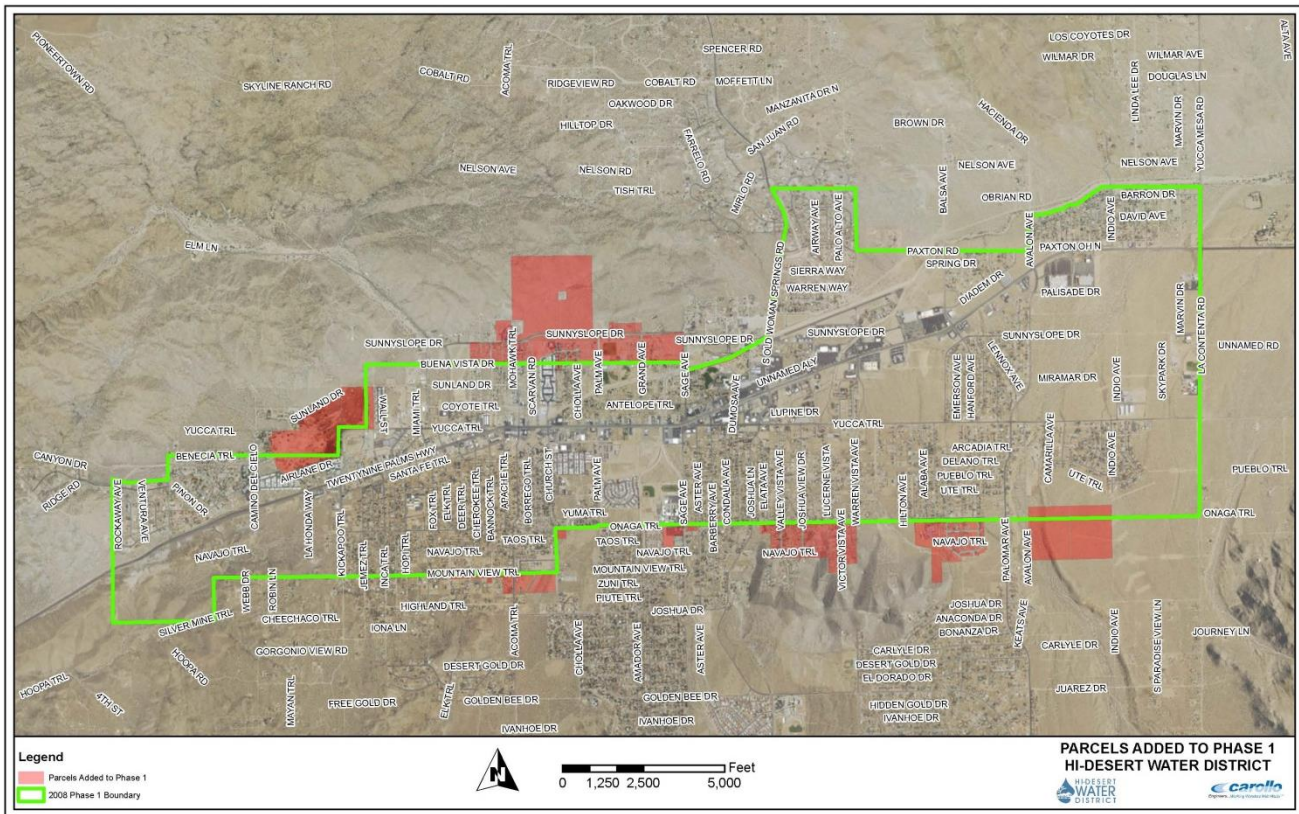
**Figure 5: Alternate Sewer Area 2**



**Properties in Phase 2 and 3 that should be moved to Phase 1:** Atkins also did an analysis of Phase 1 that focused on determining whether areas existed within the existing boundaries of Phase 2 and Phase 3 that could be brought into Phase 1 that could have significant environmental benefits without incurring additional design costs. The analysis identified large portions of developed areas from Phase 2 that should be moved into Phase 1 with little to no additions of pipeline segments. The original Phase boundaries did not consider property lines when the boundary line bisected a given parcel. In most cases, where portions of a property fell within Phase 1, it was recommended that the property be listed as a Phase 1 property. Atkins' additional analysis identified a total of 380 parcels that should be moved from Phase 2 into Phase 1 (see Figure 6). Appendix C identifies these parcels by Assessor Parcel Number (APN). Colorado River Basin Water Board staff supports the requested change and is recommending this proposed amendment accommodate the change.



**Figure 6: Parcels Added to Phase 1**

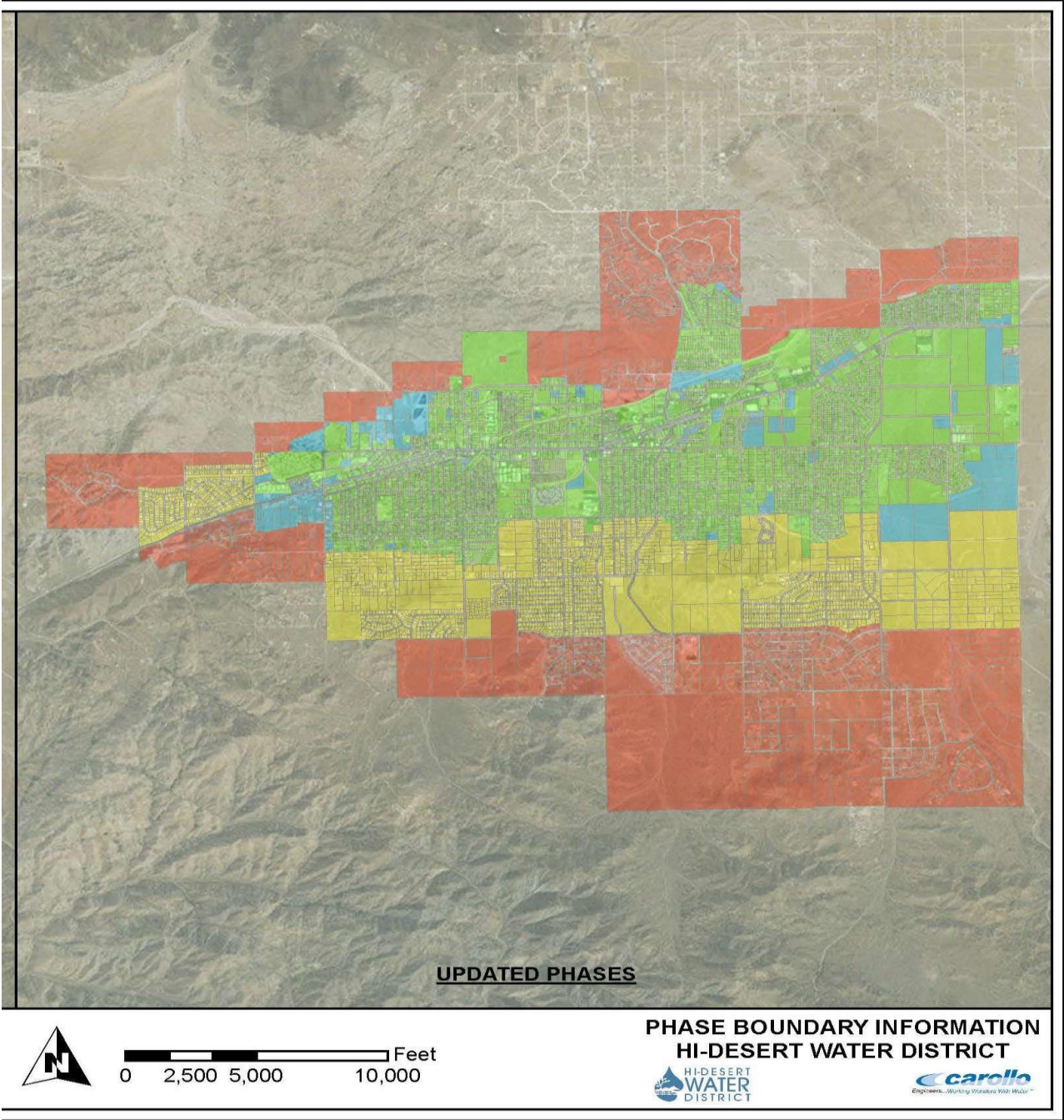


**Proposed New Internal Phase Boundaries of Prohibition:** This proposed amendment realigns the boundaries for all three Phases. Under this proposed amendment:

- The Phase 1 area would be bounded by Barron Drive to the north, Highland Trail to the south, La Contenta Road to the east, and Camino Del Cielo Trail to the west;
- The Phase 2 area would be bounded by Onaga Trail to the north, Golden Bee Drive to the south, La Contenta Road to the east, and Rockaway Ave to the west; and
- The Phase 3 area would cover the remaining residential customers on the west end of HDWD's service area, along with some low to medium density residential customers located north of the Yucca Wash up to Cobalt Road; and some low to medium density residential customers located south of Golden Bee Drive and north of South Park Road.

Under the proposed changes, HDWD estimates the proposed sewer system will cover 99% of the developed parcels within the project area. See figure 7 below.

Figure 7: Updated Prohibition's Internal Boundaries





## **6. JUSTIFICATION**

As identified in the Problem Statement of this report, HDWD has worked diligently on this project, but several financial, legal, and technical issues caused significant delays to build the centralized sewage collection system and WRF to assist the Town complying with the Prohibition:

1. The HDWD had to secure an assessment district to pay for the system. Financial assistance and voter approval for the system did not materialize until early this year. This put the project behind schedule; and
2. The design of the collection system identified technical and economic problems that require changes be made to the boundaries of each Phase to maximize the properties to be serviced by the system while managing costs of the project. This included identifying Deferred Parcels and properties that needed to be moved from one Phase to another Phase.

Based on the foregoing, Colorado River Basin Water Board staff believes it is necessary to amend the existing Prohibition so that it extends the deadlines for the proposed project to be constructed to assist the Town in complying with the Prohibition. The deadlines should be extended as specified in Table 2 of Section 4 of this report so that compliance with the Prohibition is achieved and the project is constructed at the earliest practicable time and without putting property owners subject to the Prohibition potentially in non-compliance with the Prohibition. The amendment is also necessary to realign the current Prohibition's internal Phase boundaries and to make provisions to accommodate Deferred Parcels so they connect at the earliest practicable time, in accordance with technical and regulatory criteria. In order for the centralized system and WRF to be built at the earliest practicable time, Board staff is also recommending the proposed amendment incorporate the construction milestones for the system and WRF specified in Table 3 of Section 4 of this report.

## **7. ENVIRONMENTAL IMPACTS**

Please refer to the separately provided CEQA Environmental Checklist Form and Analysis.

## **8. REPORTING**

This Basin Plan Amendment also requires HDWD submit quarterly progress reports regarding the construction of the centralized system and WRF, and semi-annual reports regarding the status of Deferred Parcels.

## **9. PROHIBITION EXEMPTIONS**

At the request of HDWD, the proposed amendment removes the following statement from Prohibition “The Colorado River Basin Water Board shall give substantial consideration to applications accompanied by a letter of support for the exemption from HDWD”. This requested Basin Plan amendment does not change the essential requirements for consideration of an exemption to the Prohibition, however.

## **10. COMPLIANCE ASSURANCE AND ENFORCEMENT**

This Basin Plan Amendment does not change the requirements for the Compliance Assurance and Enforcement section currently in the Basin Plan Prohibition.

## REFERENCES

- Staff Report in Support of a Basin Plan Amendment to Prohibit the Discharge of Wastewater into the Ground from Septic Systems in the Town of Yucca Valley, May 2011.
- Carollo Engineers, Hi Desert Wastewater Reclamation Project:
  - \_ 2015a, Project Memorandum, August 27, 2015.
  - \_ 2015b, Project Memorandum, November 24, 2015.

**Appendix A – APN of Deferred Parcels**  
(Attach APNs of Deferred Parcel)

**Appendix B – APN of Parcels moved from Phase 1 to Phases 2 and 3**  
(Attach APNs of Parcels to be moved from Phase 1 to Phases 2 and 3)

**Appendix C – APN of Parcels moved from Phases 2 and 3 into Phase 1**  
(Attach APNs of Parcels to be moved Phases 2 and 3 to Phase 1)